

Patent Application No. PQ3049, filed September 24, 1999, both of which are incorporated herein, by reference, in their entirety.

In the Claims:

Please amend the claims as follows:

5. (Once amended) The method according to any one of claims 1 to 3 wherein the phytase polypeptide has at least about 93% identity to SEQ ID NO: 2.
15. (Once amended) The method according to any one of claims 11, 12 and 14 wherein the phytase polypeptide is from *Aspergillus niger*.
16. (Once amended) The method according to claim 11 or 12 wherein the phytase polypeptide has at least about 93% identity to SEQ ID NO: 2.
23. (Once amended) The method according to any one of claims 11, 12, 20, and 21 when used to enhance the phosphorus nutrition of a plant or the growth of a plant on a phosphorus source comprising phytate and/or increase the phosphorus content of a plant.
24. (Once amended) The method according to any one of claims 11, 12, 20, and 21 when used to enhance the biomass produced by a plant.
25. (Once amended) The method according to any one of claims 11, 12, 20, and 21 when used to enhance the rate of hypocotyl production or the rate of epicotyl production.
39. (Once amended) The process according to claim 34 or 35 wherein the phytase polypeptide is from *Aspergillus niger*.
40. (Once amended) The process according to claim 34 or 35 wherein the phytase polypeptide has at least about 93% identity to SEQ ID NO: 2.

47. (Once amended) The gene construct of claim 46 comprises the *PhyA*-2 gene sequence set forth in SEQ ID NO:1.

In the Sequence Listing:

Please replace the information under the numerical heading of <110> with the following:

Richardson, Alan E., Hayes, Julie E., and Simpson, Richard J.

Please replace the information under the numerical heading of <140> with the following.

PCT/AU00/01183